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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 UNITED STATES OF AMERICA,

No. CR 08-0730 WHA

11 Plaintiff,

12 v.

13 MORIS FLORES, *et al.*

**ORDER TO SHOW CAUSE TO SFPD
RE DEFENDANT MORIS FLORES'
SUBPOENA RE MARQUEZ HOMICIDE**

14 Defendants.
15 _____/

16 The SFPD is ordered to show cause why defendant Moris Flores' April 12 subpoena
17 regarding the Brian Marquez homicide should not be enforced in its entirety. The deadline for
18 the SFPD to produce documents in response to the subpoena was today, April 27. To date, the
19 undersigned has not received a production in response to the subpoena nor a motion to quash
20 from the SFPD.

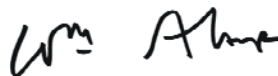
21 It may be that the SFPD failed to respond to the subpoena in the hopes that the
22 government's April 24 motion to quash the subpoena would be granted (Dkt. No. 4076). The
23 government's motion to quash the subpoena, however, was denied for lack of standing because
24 the government failed to demonstrate that the subpoena infringes upon the its legitimate interests
25 (April 27 Tr. 4525). Accordingly, even though the SFPD is not entitled to an extension of time,
26 the SFPD will be given a brief extension until **5 P.M. ON MONDAY, MAY 2** to either produce the
27 subpoenaed documents or file a motion to quash.

28 If the SFPD seeks to quash the subpoena, counsel for the SFPD — Attorney Ronnie

Wagner — must first meet and confer with counsel for defendant Flores — Attorney Mark Rosenbush — before filing any such motion. Where possible, the parties are encouraged to resolve any disputes over the scope of the subpoena without court intervention.

IT IS SO ORDERED.

Dated: April 27, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE